



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
PUBLIC SERVICE COMMISSION
SALLY A. TALBERG
CHAIRMAN

MIKE ZIMMER
DIRECTOR
NORMAN J. SAARI
COMMISSIONER

Received & Inspected

April 19, 2016

APR 26 2016

FCC Mailroom

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., Room TW-A325
Washington DC 20554

Ms. Karen Majcher
Vice President High Cost and Low Income Div.
Universal Service Administration Company
2000 L Street N.W., Suite 200
Washington DC 20036

RE: Nexus Communications, Inc. Relinquishment of Universal Service Pursuant to Section 214(e)(4) of the Federal Communications Act of 1996. Federal Communications Commission CC Docket No. 96-45, CC Docket No. 09-197, WC Docket No. 10-90

Dear Ms. Dortch and Ms. Majcher:

On March 23, 2016, Nexus Communications, Inc. (Nexus) requested that its Wireless Eligible Telecommunications Carrier (ETC) certification (SAC 319020), for the purpose of receiving Lifeline support in Michigan, be relinquished effective May 15, 2016.

The Michigan Public Service Commission's order in Case Nos. U-15694 and U-17190, approving Nexus' request for relinquishment, is attached.

Sincerely,

Robin P. Ancona

Robin P. Ancona, Director
Telecommunications Director

DOCKET FILE COPY ORIGINAL

Attachment: MPSC order approving Nexus' Relinquishment

cc: Jessica Zufolo, USAC
Ryan McAnany, MPSC
Barry Harmon, MPSC

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STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

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In the matter of the application of)
NEXUS COMMUNICATIONS, INC.,)
for clarification or designation of its eligible)
telecommunications carrier status in)
the state of Michigan.)

Case No. U-15694

In the matter of the application of)
NEXUS COMMUNICATIONS, INC.,)
for approval of an expansion of its wireless designated)
eligible telecommunications carrier service areas.)

Case No. U-17190

At the April 14, 2016 meeting of the Michigan Public Service Commission in Lansing,
Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman
Hon. Norman J. Saari, Commissioner

ORDER

On October 13, 2008, Nexus Communications, Inc. (Nexus) filed an application for designation as a wireless eligible telecommunications carrier (ETC) for purposes of receiving Lifeline universal service fund support. Nexus provides wireless service via 100% resold services. In the December 23, 2008 order in Case No. U-15694, the Commission approved the application. In the December 28, 2012 order in Case No. U-17190, the Commission approved an expansion of Nexus' wireless ETC service area.

On March 23, 2016, Nexus filed an application requesting to relinquish its wireless ETC status effective May 15, 2016.¹ The application states that the company has fewer than 7,500 current Lifeline subscribers.

47 USC 214(e)(4) provides as follows:

A State commission...shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier...Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission...shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission...shall establish a time, not to exceed one year after [approval of] such relinquishment under this paragraph, within which such purchase or construction shall be completed.

See also, 47 CFR 54.205. Thus, relinquishment may be granted to a carrier for any area that is served by more than one ETC. The Universal Service Administrative Company (USAC) has assigned study area code (SAC) 319020 to Nexus to represent its ETC service area in Michigan.

In the application, Nexus states that the following providers are also ETCs in Nexus' service area: Air Voice Wireless, LLC, d/b/a FeelSafe Wireless (SAC 319038); American Broadband and Telecommunications Company (SAC 319032); Blue Jay Wireless, LLC (SAC 319040); Boomerang Wireless, LLC, d/b/a enTouch Wireless (SAC 319036); Budget PrePay, Inc., d/b/a Budget Phone (SAC 319034); Global Connection, Inc. of America (SAC 319030); i-Wireless, LLC (SAC 319029); Q-Link Wireless, LLC (SAC 319035); TAG Mobile, LLC (SAC 319037); Telrite Corporation, d/b/a Life Wireless (SAC 319039); Tempo Telecom, LLC (SAC 319042); Total Call Mobile, Inc. (SAC 319031); TracFone Wireless, Inc., d/b/a Safelink Wireless (SAC

¹ Nexus relinquished its wireline ETC designation effective May 1, 2015. *See*, the March 10, 2015 order in Case No. U-14742.

319021); and Virgin Mobile USA, L.P., d/b/a Assurance Wireless (SAC 319023). Nexus additionally states that the following providers are local exchange carriers in Nexus' service area: AT&T Michigan (SAC 315090); Frontier North Inc. (SAC 310695); Frontier Midstates Inc. (SAC 313033); Frontier Communications of Michigan, Inc. (SAC 310682); CenturyTel of Midwest – Michigan, Inc. (SAC 310671); CenturyTel of Michigan, Inc. (SAC 310702); CenturyTel of Upper Michigan, Inc. (SAC 310689); CenturyTel of Northern Michigan, Inc. (SAC 310705); Deerfield Farmers' Telephone Company (SAC 310691); Ogden Telephone Company (SAC 310714); and Sand Creek Telephone Company (SAC 310725).

Based upon the number of additional ETCs serving in Nexus' service area, the Commission is confident that all customers served by the relinquishing ETC will continue to receive service. The Commission believes that it is unlikely that the purchase or construction of additional facilities will be required to serve any of Nexus' Lifeline customers; however, in accordance with 47 USC 214(e)(4), the Commission sets May 15, 2017, as the deadline for completion of any such purchase or construction.

According to the application, Nexus has begun taking steps to inform its customers of the company's intentions. On March 22, 2016, a text message was sent to Nexus' Lifeline subscribers informing them that Nexus is planning to cease Lifeline services effective May 2016 upon regulatory approval. Nexus submitted a copy of the draft notice that it intends to send to customers with its application. Nexus plans to provide 31 days' notice to all affected customers once receiving Commission approval of the request for relinquishment. The Commission Staff (Staff) has reviewed the notice and finds that it adequately informs customers of the pending change. The notice informs customers that Nexus' Lifeline services will be discontinued 31 days after Commission approval. The notice also contains a link to a list of other ETC providers on the

USAC website, as well as a telephone number for USAC. Customers will also be provided with a customer assistance number to call for any questions or assistance. The Staff supports Nexus' application to relinquish its wireless ETC designation.

The Commission accepts the relinquishment of the wireless ETC designation of Nexus effective May 15, 2016. The Commission requires Nexus to provide a 30-day written notice to current Lifeline customers consistent with the draft notice filed with its application. The notice shall be filed in this docket within seven days of its mailing to current Lifeline customers. The Commission further directs Nexus to file in this docket, within five days of the expiration of the 30-day period, information on how many Lifeline subscribers switched to other ETCs.

THEREFORE, IT IS ORDERED that:

A. The eligible telecommunications carrier designation of Nexus Communications, Inc., is relinquished effective May 15, 2016.

B. Nexus Communications, Inc., shall provide written notice to its current Lifeline customers which (i) informs them that its Lifeline program will not be available after May 15, 2016, and (ii) includes information on other current eligible telecommunications carriers within the customer's geographic area from whom customers may obtain Lifeline service. Notice must be mailed to current Lifeline customers no less than 30 days before discontinuance of their Lifeline service. A copy of the notice shall be filed in this docket within seven days of its mailing to current Lifeline customers.

C. Within five days of the expiration of Lifeline services, Nexus Communications, Inc., shall file information in this docket showing how many customers switched to other eligible telecommunications carriers.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party aggrieved by this order may file an action in the appropriate federal District Court pursuant to 28 USC 1331. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscdockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungpl@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

MICHIGAN PUBLIC SERVICE COMMISSION



Sally A. Talberg, Chairman



Norman J. Saari, Commissioner

By its action of April 14, 2016.



Mary Jo Kunkle, Executive Secretary

PROOF OF SERVICE

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APR 26 2016

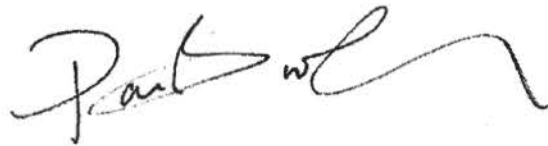
FCC Mailroom

STATE OF MICHIGAN)

Case No. U-15694 et al

County of Ingham)

Paige Bialke being duly sworn, deposes and says that on April 14, 2016 A.D. she served a copy of the attached Commission order by first class mail, postage prepaid, or by inter-departmental mail, to the persons as shown on the attached service list.



Paige Bialke

Subscribed and sworn to before me
This 14th day of April 2016



Steven J. Cook
Notary Public, Ingham County, Michigan
As acting in Eaton County
My Commission Expires: April 30, 2018

Service List U-15694

Nexus Communications Inc
President
3629 Cleveland Avenue, Suite C
Columbus OH 43224-7168

Haran C. Rashes
Clear Rate Communications, Inc.
555 S. Old Woodward, Suite 600
Birmingham MI 48009

Service List U-17190

Nexus Communications Inc
President
3629 Cleveland Avenue, Suite C
Columbus OH 43224-7168

Haran C. Rashes
Clear Rate Communications, Inc.
555 S. Old Woodward, Suite 600
Birmingham MI 48009